

REMARKS

Claims 52-71 were pending. None of the claims has been amended. The Office Action rejected claims 1-20.

The Examiner and the undersigned attorney had two telephone conversations on January 25, 2005. In the first conversation, they discussed which claims were currently pending. The attorney explained that on June 24, 2003, a preliminary amendment was filed that cancelled claims 1-51 and added new claims 52-71.¹ The Examiner responded that he would send a new non-final Office Action directed to claims 52-71.

In the second conversation, they discussed the Information Disclosure Statement and form PTO/SB/08A that were mailed by Applicant on October 2, 2003 and received by the USPTO on October 6, 2003. The Office Action enclosed initialed copies of pages 2-5 of form PTO/SB/08A. Applicant respectfully requests that the Examiner initial page 1 of form PTO/SB/08A and enclose it in the next communication to Applicant.

¹ The application that was filed on June 24, 2003 contained twenty claims. In addition to this application, Applicant concurrently filed a preliminary amendment that cancelled claims 1-51 and added new claims 52-71. Applicant would like to clarify that the preliminary amendment was meant to cancel claims 1-20 and add new claims 21-40. Applicant suggests that the numbering used in the preliminary amendment continue to be used. However, if the Examiner wishes, Applicant can renumber the claims.

Applicant respectfully submits that the pending claims are now allowable over the cited art of record and requests that the Examiner allow this case. The Examiner is invited to contact the undersigned in order to advance the prosecution of this application.

Respectfully submitted,
JAY L. GAINSBORO

Dated: 1-25-05

By: Sabra-Anne R. Truesdale
Sabra-Anne R. Truesdale, Reg. No. 55,687
Attorney for Applicant
FENWICK & WEST LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (650) 335-7187
Fax: (650) 938-5200